

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH DAKOTA

In re:	)	Bankr. No. 10-40498
	)	Chapter 7
AARON RICHARD BOE	)	
SSN/ITIN xxx-xx-0047	)	MOTION FOR TURNOVER
	)	
and	)	
	)	
WENDY ANITA BOE	)	
SSN/ITIN xxx-xx-3332	)	
	)	
Debtors.	)	

COMES NOW Lee Ann Pierce, Chapter 7 Trustee in the above captioned bankruptcy, and moves the Court to approve her motion for turnover and represents as follows:

1. This motion is brought pursuant to 11 U.S.C. §521(4).
2. This Court has jurisdiction pursuant to 28 U.S.C. §1334 and §157.
3. Debtors filed for bankruptcy on June 11, 2010. On Schedule B Debtors listed a 2008 Dodge Nitro valued at \$12,185.00. Debtors listed on Schedule D that Sioux Falls Federal Credit Union has a security interest in the 2008 Dodge Nitro. The Trustee received a copy of a South Dakota lienholder's notice of filing for the vehicle listing Sioux Falls Federal Credit Union as the first lienholder. The South Dakota lienholder's notice of filing is dated March 17, 2010, which is within the 90-day period prior to the date Debtors filed for bankruptcy. Sioux Falls Federal Credit Union's claimed lien in the vehicle is an avoidable transaction.

Wherefore, the Trustee would hereby request that the Court order Debtors to turn over to the Trustee the 2008 Dodge Nitro; and for such other and further relief as is deemed appropriate by the Court under the circumstances.

Dated this 23<sup>rd</sup> day of August, 2010.

LEE ANN PIERCE

/s/ Lee Ann Pierce  
Chapter 7 Bankruptcy Trustee  
316 Fourth St.  
P.O. Box 524  
Brookings, SD 57006-0524  
Phone: 605 692-9415  
Fax: 605 692-1433